

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter Of)

Implementation of Sections 3(n)
and 332 of the Communications Act)

GN Docket No. 93-252

Regulatory Treatment of Mobile
Services)

To: The Commission

**Reply Comment of
PITTENCRIEFF COMMUNICATIONS, INC.**

Pittencrieff Communications, Inc. ("PCI"), pursuant to Section 1.415 of the Commission's Rules, 47 C.F.R. § 1.415, respectfully submits its Reply Comments to the Further Notice of Proposed Rule Making adopted by the Federal Communications Commission (the "FCC" or the "Commission") in the above referenced proceeding ("Further Notice").

INTRODUCTION

PCI is a leading provider of Specialized Mobile Radio ("SMR") services in the United States, with a concentration of mobile telephone service in the 800 Mhz band of spectrum. At present, PCI has filed eight wide-area SMR ("ESMR") applications, now pending before the Commission, seeking to convert use of the spectrum from its current analog application to advance-technology, digital service network ("Digital Mobile Network"). PCI anticipates that the build-out and implementation of its wide-area systems will be accomplished during late 1995.

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With its application of Digital Mobile Network, PCI will provide enhanced digital wireless communications service in direct competition with cellular and PCS providers and as such, is subject to reclassification as a commercial mobile radio service ("CMRS") provider.

In view of both its entry into the wide-area SMR field, as well as its reclassification as a CMRS provider, PCI respectfully files these Reply Comments, addressing, specifically, a proposal of a 200-channel block licensing scheme for 800 Mhz ESMR licensing, proposed by Nextel Communications, Inc. ("Nextel") in its Comments to this proceeding.

1. PCI Supports the Adoption of a Block Licensing Scheme That Would Enhance the Technical Options and Competitive Viability Available to ESMR Licensees.

Nextel has proposed that the Commission adopt a block licensing scheme that would establish a contiguous ten (10) Mhz block of 200 SMR channels, on an MTA basis, for exclusive ESMR use.^{1/} Under this proposal, ESMR operators would be relieved from burdensome regulatory compliance with the Commission's existing application procedures, as well as encumbrances posed by co-channel sharing with unaffiliated SMR operators. To qualify as an ESMR operator, Nextel proposes that the Commission adopt benchmark guidelines, to prevent the filing of speculative applications. Nextel proposes that only ESMR applications on file with the

^{1/} Nextel Communications, Inc., Comments, at page 11.

Commission as of August 10, 1994, be granted the new block licensing consideration.^{2/}

PCI strongly supports the general content and structure of Nextel's proposed regulatory revision. PCI urges the Commission, however, to be cautious in reviewing Nextel's qualification guidelines for access to the new licensing scheme.

2. PCI Supports a Qualification Guideline for Access to ESMR Block Licensing of Forty-Two Channels.

PCI is, as stated above, a leading provider of SMR services in the United States. Its participation in the SMR market, and its intended entry into the ESMR service, is established and far beyond mere speculative efforts. PCI does, however, intend to provide ESMR service throughout the southwestern United States, including some markets of a smaller scale than markets served or proposed by Nextel. In view of this, PCI urges the Commission, should it adopt Nextel's proposed block licensing scheme, as well as any qualification benchmark, to adopt regulations that will encompass a broad range of ESMR providers.

Based upon this proposal, PCI believes that any a benchmark of forty-two (42) discrete channels on file up until August 10, 1994, per MTA, is a reasonable qualification guideline. With forty-two (42) discrete channels in a given market, an ESMR provider may offer spectrum-efficient, enhanced digital wide-area service and should, likewise, benefit from the reduced regulatory burden and exclusive use of spectrum that Nextel's block licensing scheme ensures. PCI urges that the

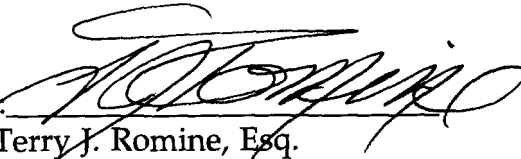
^{2/} Nextel's Comments, page 16-17.

Commission adopt this benchmark for all applications filed after July 11, 1994, and until August 10, 1994.

WHEREFORE, for the foregoing reasons, Pittencrieff Communications, Inc. respectfully requests that the Commission consider its Reply Comments for consideration in the above referenced proceeding.

Respectfully submitted,

PITTENCRIEFF COMMUNICATIONS, INC.

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